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5 ROBERT F. KENNEDY JR., ESQ.  
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(Subject to *pro hac vice* admission)  
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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT  
12 EASTERN DISTRICT OF CALIFORNIA

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14 LETRINH HOANG, D.O., PHYSICIANS FOR  
INFORMED CONSENT, a not-for-profit  
organization, and CHILDREN'S HEALTH  
15 DEFENSE, CALIFORNIA CHAPTER, a  
California Nonprofit Corporation

16 Plaintiffs,

17 v.

18 ROB BONTA, in his official capacity as Attorney  
General of California and,  
ERIKA CALDERON, in her official capacity as  
Executive Officer of the Osteopathic Medical  
Board of California ("OMBC"),

19 Defendants.

20 Case No: 2:22-cv-02147-DAD-AC

21 [proposed] ORDER GRANTING  
PRELIMINARY INJUNCTION

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23 Plaintiffs' Motion for Preliminary Injunction came for hearing before the Court on January 17,  
24 2022. Having given full consideration to Plaintiffs' papers, evidence, relevant authorities, and  
25 Defendants' responses thereto, as well as the oral presentations of counsel; for good cause appearing  
26 and in accordance with Fed. R. Civ. P. 65(b), the Court finds that Plaintiffs have demonstrated they are  
27 likely to succeed on the merits, likely to suffer irreparable harm in the absence of preliminary relief,  
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1 that the balance of equities tips in Plaintiffs' favor, and that an injunction is in the public interest. *See*  
2 *Winter v. Natural Res. Def. Council*, 555 U.S. 7, 20 (2008).

3 The Court makes the following findings:

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1. Substantial and irreparable injuries to Plaintiffs' constitutional speech rights are occurring and will continue to occur in the absence of immediate injunctive relief.
  2. Plaintiff has no adequate remedy of law.
  3. An injunction serves the public interest by upholding the Constitution. Denial of preliminary relief would allow continued injury to Plaintiffs. Granting of preliminary relief causes no injury to Defendants.

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**IT IS HEREBY ORDERED** that Plaintiffs' Motion for Preliminary Injunction is **GRANTED**. Defendants Attorney General Rob Bonta, and Erika Calderon, Executive Officer of the Osteopathic Medical Board of California, and all employees who report directly or indirectly to the Defendants, or act in concert with them are hereby preliminarily restrained and enjoined, pending a final determination on the merits, from commencing or continuing any investigation of California licensed osteopathic physicians on the grounds that such physicians have or might have violated Bus. & Prof. Code Section 2270.

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**IT IS FURTHER ORDERED THAT** Defendant Erika Calderon cause to be posted on OMBC's web site that enforcement of Bus. & Prof. Code Section 2270 is being stayed pending the final disposition of this action; and,

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**IT IS FURTHER ORDERED THAT** Defendant Erika Calderon cause a notice to be sent to all physicians who are currently under investigation for "misinformation" relating to COVID-19 that such investigations are abated pending the final disposition of this case.

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The Court finds that no bond is necessary in this case because Defendants' compliance with the preliminary injunction would create no risk of monetary loss.

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IT IS SO ORDERED

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Dale A. Drozd  
United States District Judge